

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JUAN M. MONTENEGRO,

Plaintiff,

v.

DR. ANTHONY,

Defendant.

No. 1:23-cv-00474-KES-GSA

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

Doc. 20

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. Docs. 1, 4. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 21, 2025, the assigned magistrate judge screened plaintiff's complaint and found that it failed to state a cognizable claim. Doc. 19. The screening order afforded plaintiff thirty days to (1) file a first amended complaint curing the deficiencies identified in the screening order, (2) file a notice of his intention to stand on his initial complaint, or (3) voluntarily dismiss the action. *Id.* at 8. Plaintiff did not respond to the screening order.

On June 25, 2025, the magistrate judge issued findings and recommendations recommending that this action be dismissed for plaintiff's failure to prosecute and failure to obey a court order. Doc. 20. The findings and recommendations were served on plaintiff and contained notice that any objections were to be filed within fourteen (14) days. *Id.* at 5. Plaintiff

1 did not file any objections and the time to do so has passed.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de
3 novo review of this case. Having carefully reviewed the file, the Court finds the findings and
4 recommendations to be supported by the record and proper analysis.

5 Accordingly:

- 6 1. The findings and recommendations issued June 25, 2025, Doc. 20, are ADOPTED IN
7 FULL;
- 8 2. This matter is DISMISSED without prejudice for failure to prosecute and for failure to
9 obey a court order; and
- 10 3. The Clerk of Court is directed to CLOSE this case.

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13 IT IS SO ORDERED.

14 Dated: August 3, 2025


UNITED STATES DISTRICT JUDGE